

Marshall County Fiscal Court
September 13, 2016

The Marshall County Fiscal Court met in regular session on Tuesday, September 13, 2016 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Elected Commissioners: Bob Gold, Dr. Rick Cocke, and Johnny Bowlin; County Attorney Jeff Edwards and Assistant County Attorney Jason Darnall were present. Kevin Neal, County Judge/Executive presided.

I. GUESTS:

A. Park Superintendent Dennis Foust gave an update on vandalism that happened in the early morning hours of Sunday, September 11th at Mike Miller Park. The Sheriff's Office conducted an investigation and has given the ok to start the cleanup process. Mr. Foust stated there were several people that offered to volunteer to help with cleanup but the park crew has everything under control at this time. Mr. Foust said he appreciates all the community support, donations and offers to help.

B. Kristi Tucker with the Marshall County Public Library presented the 2016 Real and Personal Property Taxes for the Library Taxing District. They are 9.4% Real Property and 9.76% Personal Property.

C. ABC Administrator Scott Brown presented his quarterly report which yielded \$101,196.22.

II. CORRESPONDENCE:

A. Judge Neal read a letter from Matthew Cole, Assistant Director, Division of Driver Licensing regarding county road refunds. Pursuant to KRS 186.535 a check in the amount of \$3,265.50 was received. These monies are derived from the sale of operator's licenses in Marshall County for the period of June 2015 through May 2016.

B. Judge Neal read a letter from City of Hardin Mayor Randall Scott naming Carolyn Johnson as the City of Hardin's pick for the Nuisance Code Enforcement Board of Marshall County and the City of Hardin.

C. Judge Neal read a public meeting notice from the Marshall County Soil and Water Conservation District. They will conduct a public meeting at 7:00 pm central time, September 27, 2016 at the Marshall County Public Library – Calvert City, 23 Park Road, Calvert City, KY 42029.

D. Judge Neal presented a summary of the TVA Community Development Economic Development Strategic Planning Session that was held on Friday, September 2, 2016.

III. OLD BUSINESS:

A. A motion was made by Com. Cocke and seconded by Com. Gold to approve the minutes of the August 16th meeting. All voted aye. Motion carried.

B. A motion was made by Com. Bowlin and seconded by Com. Gold to approve the 2016 Special District Tax Rate at 9.7% Real Property, 9.8% Tangible Property and 11.2% for 2017 Motor Vehicles and Watercraft Property Tax Rate. All voted aye. Motion carried.

C. Assistant County Attorney Read Ordinance #2016-10 – Interlocal Nuisance Agreement – 2nd Reading. After discussion a motion was made by Com. Cocke and seconded by Com. Gold to accept and approve Ordinance #2016-10. All voted aye. Motion carried.

D. County Attorney Jeff Edwards presented the Solar Lease Agreement between Marshall County Fiscal Court and Big Rivers Electric Corporation. After discussion a motion was made by Com. Cocke and seconded by Com. Bowlin for Judge Neal to sign the agreement. All voted aye. Motion carried.

E. Judge Neal presented an agreement between TVA and Marshall County Fiscal Court to provide grounds maintenance at the Sledd Creek Public Access Area. After discussion a motion was made by Com. Bowlin and seconded by Com. Cocke for Judge Neal to sign the agreement. All voted aye. Motion carried.

F. At the previous Fiscal Court meeting Treasurer Emily Martin presented several CPA's for the Commissioner's to choose from in regard to the FY 16 Audit. After discussion a motion was made by Com. Gold and seconded by Com. Cocke to go with Percy and Gray, PSC in Louisville, KY for the amount of \$13,800.00. All voted aye. Motion carried.

G. Judge Neal gave an update on Sanitation District #2, upgrades for the plant have started and should be complete no later than July 2017.

IV. NEW BUSINESS:

A. Road Superintendent Wendy Greer presented Memo of Agreement for 40 Hughes Road, Benton; Lots 22 and 23, Kuntry Hollow Estates Subdivision; 2971 Sharpe-Elva Raod, Calvert City; 219 Henry Sledd Road, Gilbertsville; 65 Wildcat Lane, Benton, this will allow the County Road Department to access private property to resolve drainage issues. A motion was made by Com. Cocke and seconded by Com. Gold to approve the Memo of Agreement for all properties. All voted aye. Motion carried.

B. Treasurer Emily Martin presented the 2016 Tax Rate Order. A motion was made by Com. Bowlin and seconded by Com. Gold to approve the 2016 Tax Rate Order. All voted aye. Motion carried.

C. Judge Neal presented work orders received from Maintenance Supervisor Gary Teckenbrock regarding man hours worked at the Jail. The work orders provide evidence that another worker is needed in the Maintenance Department. Judge Neal recommended transferring Randy Henson from the Parks Dept. to the Maintenance Dept. A motion was made by Com. Cocke and seconded by Com. Bowlin to approve the employee transfer. All voted aye. Motion carried. Mr. Henson will transfer sometime next month.

D. Judge Neal address and issue with the Sheriff's Office and E-911 Office regarding both the Sheriff and the E-911 Director not allowing a county employee in the maintenance department to have access to their offices. After a very lengthy discussion Judge Neal stated we would follow the FBI standard for access to secure areas and quoted CJISD 5.2 Policy Area 2: Security Awareness Training stating "Basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to CJI to include all personnel who have unescorted access to a physically secure location. Following this policy would allow the maintenance employee to access the area to perform maintenance duties. No formal action was taken.

E. Judge Neal presented quotes from InterAct for the CAD at E-911. Since InterAct is on the State Contract it was not necessary to bid out. After discussion a motion was made by Com. Gold and seconded by Com. Cocke to accept the InterAct quotes totaling \$117,000.00. All voted aye. Motion carried.

F. Judge Neal presented HB 585 – CMRS Funding/PSAP Funding over the next two year period. By FY 18 the total amount received should total \$212,265.30.

G. A motion was made by Com. Bowlin and seconded by Com. Gold to accept the Clerks Audit for the year ended December 31, 2015. All voted aye. Motion carried.

H. A motion was made by Com. Gold and seconded by Com. Bowlin to accept the Sheriff's Settlement – 2014 Taxes for the period April 16, 2014 through April 16, 2016. All voted aye. Motion carried.

I. A clerical error was noticed on Ordinance #2014-06. The date signed was incorrectly stated, it should be dated July 2014. A motion was made by Com. Cocke and seconded by Com. Gold to correct the year on Ordinance #2014-06. All voted aye. Motion carried.

J. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Treasurer's Report subject to audit. All voted aye. Motion carried.

K. A motion was made by Com. Gold and seconded by Com. Cocke to approve payment of the bills. All voted aye. Motion carried.

L. Com. Gold stated Dam 52 is undergoing some repair work and the river levels would be dropped, this could cause some issues with barges getting through the lock.

M. A motion was made by Com. Gold and seconded by Com. Bowlin to go into Executive Session to discuss litigation. All voted aye. Motion carried.

N. Judge Neal called court back in session.

O. A motion was made by Com. Gold and seconded by Com. Bowlin to adjourn. All voted aye. Motion carried.

Respectfully submitted by,

Desiree' Hermosillo
Fiscal Court Clerk